

## § 121.586

this section, to the maximum extent feasible.

(p) The procedures required by paragraph (n) of this section will not become effective until final approval is granted by the Director, Flight Standards Service, Washington, DC. Approval will be based solely upon the safety aspects of the certificate holder's procedures.

[Doc. No. 25821, 55 FR 8072, Mar. 6, 1990, as amended by Amdt. 121-232, 57 FR 48663, Oct. 27, 1992; Amdt. 121-253, 61 FR 2614, Jan. 26, 1996]

### § 121.586 Authority to refuse transportation.

(a) No certificate holder may refuse transportation to a passenger on the basis that, because the passenger may need the assistance of another person to move expeditiously to an exit in the event of an emergency, his transportation would or might be inimical to safety of flight unless—

(1) The certificate holder has established procedures (including reasonable notice requirements) for the carriage of passengers who may need the assistance of another person to move expeditiously to an exit in the event of an emergency; and

(2) At least one of the following conditions exist:

(i) The passenger fails to comply with the notice requirements in the certificate holder's procedures.

(ii) The passenger cannot be carried in accordance with the certificate holder's procedures.

(b) Each certificate holder shall provide the certificate-holding district office with a copy of each procedure it establishes in accordance with paragraph (a)(2) of this section.

(c) Whenever the Administrator finds that revisions in the procedures described in paragraph (a)(2) of this section are necessary in the interest of safety or in the public interest, the certificate holder, after notification by the Administrator, shall make those revisions in its procedures. Within 30 days after the certificate holder receives such notice, it may file a petition to reconsider the notice with the certificate-holding district office. The filing of a petition to reconsider stays the notice pending a decision by the

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Administrator. However, if the Administrator finds that there is an emergency that requires immediate action in the interest of safety in air commerce, he may, upon a statement of the reasons, require a change effective without stay.

(d) Each certificate holder shall make available to the public at each airport it serves a copy of each procedure it establishes in accordance with paragraph (a)(1) of this section.

[Doc. No. 12881, 42 FR 18394, Apr. 7, 1977, as amended by Amdt. 121-174, 46 FR 38051, July 23, 1981; Amdt. 121-207, 54 FR 39293, Sept. 25, 1989; Amdt. 121-253, 61 FR 2614, Jan. 26, 1996]

### § 121.587 Closing and locking of flight crew compartment door.

(a) Except as provided in paragraph (b) of this section, a pilot in command of an airplane that has a lockable flight crew compartment door in accordance with §121.313 and that is carrying passengers shall ensure that the door separating the flight crew compartment from the passenger compartment is closed and locked during flight.

(b) The provisions of paragraph (a) of this section do not apply—

(1) During takeoff and landing if the crew compartment door is the means of access to a required passenger emergency exit or a floor level exit; or

(2) At any time that it is necessary to provide access to the flight crew or passenger compartment, to a crewmember in the performance of his duties or for a person authorized admission to the flight crew compartment under §121.547.

(3) When a jumpseat is being used by persons authorized under §121.547 in airplanes in which closing and locking the flight crew compartment door is impossible while the jumpseat is in use.

[Doc. No. 6258, 29 FR 19219, Dec. 31, 1964, as amended by Amdt. 121-14, 30 FR 15655, Dec. 18, 1965; Amdt. 121-251, 60 FR 65935, Dec. 20, 1995]

### § 121.589 Carry-on baggage.

(a) No certificate holder may allow the boarding of carry-on baggage on an airplane unless each passenger's baggage has been scanned to control the